

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**UNITED STATES OF AMERICA,**

v.

**OTTO G. PENA,**

Defendant.

Case No. 7:12-CR-39 (HL)

**ORDER**

On February 4, 2013, Defendant filed a Motion to Suppress Statements (Doc. 22) and a Motion to Suppress Evidence (Doc. 23). The Court set a hearing on both motions for February 13, 2013. The Court was then notified by Robert McCullers, counsel for the Government, that he would be serving military duty for the time period of February 11 through February 22. The hearing has now been reset for February 28 at 10:00 a.m.

The purpose of this Order is to remind the parties of their obligations with regard to the upcoming trial term. Notwithstanding the fact that the suppression hearing will be held on February 28, counsel for both the Government and the Defendant will still be required to file a proposed exhibit list and a proposed witness list no later than noon on March 1. Further, counsel must still be prepared to select a jury and begin the trial on March 4. The Court will endeavor to rule on the suppression motions as soon as possible, but cannot guarantee an immediate decision. The parties are not relieved from their duty to prepare for trial.

**SO ORDERED**, this the 8<sup>th</sup> day of February, 2013.

**s/ Hugh Lawson**  
**HUGH LAWSON, SENIOR JUDGE**